

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BUFFETS HOLDINGS, INC.,  
a Delaware corporation, et al.,

Debtors.

Delmarva Power & Light Company, Potomac  
Electric Power Company, Atlantic City Electric  
Company, Florida Power & Light Company,  
and Sacramento Municipal Utilities District,

Appellants,

v.

Buffet Holdings, Inc.,

Appellees.

Chapter 11  
Jointly Administered

Case No 08-10141

Case No. 1:08-cv-00188-SLR

**STATEMENT PURSUANT TO LOCAL RULE 7.1.1 REGARDING  
MOTION FOR RELIEF FROM ORDER OF MEDIATION AND FOR EXPEDITED  
CONSIDERATION OF APPEAL**

Counsel for Appellants, Delmarva Power & Light Company, Potomac Electric Power Company (together Pepco Holdings Inc. or “PHI”), Florida Power & Light Company (“FPL”) and Sacramento Municipal Utility District, states that a reasonable effort has been made to reach agreement with the opposing party on appellants’ request to be excused from mediation and, in the event the Court denies appellants’ request to be excused from mediation, to permit the party

appellants to participate in the scheduled mediation telephonically rather than in person.

Respectfully submitted,

/s/William Douglas White

William Douglas White  
Kevin R. McCarthy  
MCCARTHY & WHITE, PLLC  
8180 Greensboro Drive, Suite 875  
McLean, Virginia 22102  
Tel: (703) 770-9265

/s/Michael P. Morton

Michael P. Morton  
Michael P. Morton P.A.  
1209 North Orange  
Wilmington DE  
(302) 426-1313  
Attorneys for Delmarva Power & Light Company,  
Potomac Electric Power Company, Atlantic City  
Electric Company, Florida Power & Light  
Company, and Sacramento Municipal Utilities  
District